

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

NOVASPARKS SA,

Plaintiff

v.

Case No. 17-cv-7745-GBD-HBP

ENYXFPGA, INC. and ENYX SA,

NOTICE OF MOTION

Defendants.

PLEASE TAKE NOTICE, that Defendants EnxyFPGA, Inc. and ENYX SA (collectively “Defendants” or “Enyx”), by and through the undersigned counsel, shall move this Court for an Order to enforce the mandatory forum selection clause in a 2013 Settlement Agreement between Enyx SA and NovaSparks, and to dismiss and/or stay the above-captioned matter pending the outcome of substantially parallel litigation filed by Plaintiff NovaSparks, Inc. (“NovaSparks”) against Enyx SA in France. The arguments supporting this motion are set forth in the accompanying memorandum of law, and are further supported by the attached declaration of Michael E. Anderson, including exhibits 1-5 to that declaration.

PLEASE TAKE FURTHER NOTICE that counsel for Enyx hereby requests oral argument.

Dated: May 23, 2018

Respectfully submitted,

BAKER & HOSTETLER LLP

By: /s Michael E. Anderson

Kenneth J. Sheehan

ksheehan@bakerlaw.com

Michael E. Anderson (admitted pro hac vice)

meanderson@bakerlaw.com

Baker & Hostetler LLP

1050 Connecticut Ave, NW

Washington, DC 20036

Phone: (202) 861-1682

Fax: (202) 861-1703

*Attorneys for Defendants Enyx SA and
EnyxFPGA, Inc.*

TO: Peter Sullivan
Erik Huestis
Melissa Stewart
Foley Hoag LLP
1540 Broadway, 23rd Floor
New York, NY 10036
Telephone: 626-927-5500

Attorneys for Plaintiff NovaSparks, SA

CERTIFICATE OF SERVICE

I hereby certify that on May 23rd, 2018, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filing to counsel of record:

Peter A. Sullivan
Erik Huestis
Melissa Stewart
Foley & Hoag LLP
1540 Broadway
23rd Floor
New York, NY 10036

Attorneys for Plaintiff NovaSparks SA

/s Michael E. Anderson